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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 004051

SIPDIS

LABOR FOR ILAB

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TAGS: [ELAB](#) [PHUM](#) [PINR](#) [IZ](#)

SUBJECT: MINISTER OF LABOR ON WORKER RIGHTS AND LABOR

CODES: NEW AND OLD

Classified By: ECON MINCOUNS Thomas Delare, reasons 1.4 b/d

¶ 11. (C) Summary: Minister of Labor and Social Affairs (MOLSA) Dr. Idris Hadi Salih expressed concern that a number of labor union movements were fighting over the properties of the former Saddam/Baathist General Federation of Trade Unions (GFTU). He said that Government efforts to control this were not a worker rights violation. Idris acknowledged that current Iraq labor law, based on a 1977 Saddam-era law, was flawed and said that he hoped the new Iraqi labor code, done in close cooperation with the ILO, would soon be passed by the current government. We accepted the Minister's offer to arrange a meeting for us with labor union leaders for further discussion of these issues. It strikes us that Idris's MOLSA priorities seem to lie more in such areas as safety nets and vocational training rather than in labor union organizations and their rights. End Summary

¶ 12. (C) We met September 26 with Minister of Labor Dr. Idris Hadi Salih to talk about recent disturbing reports (from the AFL-CIO and others) on worker rights violations in Iraq. Idris was receptive and candid in his replies. We believe that that was due to his background in Kurdish human rights organizations, his personal appreciation for US/UK efforts to free the Kurds from Saddam Hussein, and his positive meetings with Secretary of Labor Chao in Geneva and Washington.

Out with the old...

¶ 13. (C) Idris noted that another negative legacy of Saddam Hussein's rule was that a single trade union organization, the GFTU, became a vehicle for the transmission of Baathist ideology to both public and private sector employees. Rather than representing workers, the GFTU was an instrument of the State. He also said that Saddam had bequeathed the GFTU a number of valuable properties, in part for its loyal service. The fall of Saddam had the positive impact of removing the GFTU from the labor scene.

Fighting over the spoils...

¶ 14. (C) Since 2003, however, a number of unions had emerged to claim the mantle of the GFTU as the single labor federation of Iraq, Idris told us. In January 2004, the Iraqi Governing Council (Decree 16) designated the Independent Free Trade Union (IFTU) as a monolithic representative of labor. As Labor Minister, Idris said that he had understood that the IFTU was to be the new "single" union for Iraq. For this reason, he found the current "eight" contenders to replace GFTU "confusing" and he expressed concern that one reason for these multiple voices was they wanted ownership of the valuable buildings in Baghdad (and elsewhere) that GFTU had owned. Idris suggested that some of these organizations were "pretenders" more interested in property than workers. He said that this was the reason the government had created a special adjudication committee in August.

Union freedoms but...

¶ 15. (C) Idris said that workers are free to organize under current law. He said that government is not involved in union finances. While the GOI will not collect fees for unions, it will not prohibit unions from collecting dues. He said that his relations with the unions are good and offered to set up a meeting for us with union leaders at the Ministry. (Comment: We accepted the offer on the spot. Meeting with unions at their buildings is, as an UK colleague trying to cover labor affairs told us, a bit dodgy. In fact, British Protective Security Details refuse to take their diplomats to meet union leaders in the red zone for security reasons. A further complication is that many trade union leaders are reportedly reluctant to enter the IZ, either because they see us as "occupiers", or for fear that they will be killed by insurgents. End comment.)

Need for new Labor Code to pass

¶ 16. (C) Idris acknowledged that the 1977 labor law banning public sector unions is still on the books (our understanding

is that the CPA did not nullify this law), but said that Iraq's new labor code (almost two years in the making with extensive ILO assistance), would clarify the government commitments to basic ILO worker rights conventions. He also said that the GOI had consulted with unions and employers groups during drafting. When we noted that a number of Ministries were banning unions in their areas of authority, Idris explained that Ministries were allowed to determine whether these were professionals or workers with the former not entitled to union representation in his view. He denied that State Owned Enterprise workers were banned from union membership; however, he acknowledged that the current situation was confused. For that reason, passage of the new labor code is so important. The proposed code is with the Council of Ministers for approval and then presentation to the TNA. He said that he does not want to wait for the next government and expressed optimism that the TNA was pass this law "within weeks."

17. (C) Bio note: Idris who holds a Ph D (in engineering) from Leningrad/St. Petersburg University, told us that his academic specialization was in satellite communications. In addition to his human rights experience, he had been a university professor and chancellor at Salahaddin University for 10 years. When we asked him for his post-election plans, he hinted that he would like to return to Erbil, where it is possible to walk the streets, feel safe, and teach -- things that he can not do in Baghdad. However, as a KDP (Kurdistan Democratic Party) leader, he said that he would go where the party tells him to go.

18. (C) Comment: While we would agree with Idris that the current labor scene here is "confusing," we were struck that he didn't have much to say on why this is the case. We believe that much of this is due to his lack of background in labor affairs and his short tenure on the job. We believe that his MOLSA priorities lie elsewhere, namely in vocational training for Iraqi youths, safety nets, and greater welfare benefits to widows and orphans.

Khalilzad